REMARKS

The present amendment is submitted in response to the final Office Action dated April 25, 2008, which set a three-month period for response, making this amendment due by July 25, 2008.

Claims 1-19 are pending in this application

In the final Office Action, claim 1 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-4 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,663,748 to Karbowiak et al in view of U.S. Patent No. 4,527,270 to Sweeton. Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Karbowiak in view of Sweeton and further in view of U.S. Patent No. 4,530,085 to Hamada et al. Claims 1, 6-8, 10, 11, and 15-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,142,504 to Uzun in view of Sweeton. Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Sweeton. Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Sweeton, and further in view of U.S. Patent No. 4,951,280 to McCool. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Sweeton and further in view of U.S. Patent No. 6,400,682 to Regula. Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Sweeton and further in view of U.S. Patent No. 4,516,121 to Moriyama et al. Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Sweeton and further in view of U.S. Patent

No. 4,594,709 to Yasue. Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Sweeton and further in view of U.S. Patent No. 7,283,740 to Kinoshita et al. Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Sweeton and further in view of U.S. Patent No. 4,539,655 to Trussel et al.

In the present amendment, claim 1 has been amended to address the rejection under Section 112, second paragraph.

The Applicants respectfully disagree that the cited reference combinations render obvious the subject matter of the pending claims.

The present invention provides two processing units for each path 10, 20, a first unit 11 and second unit 21 that ensure redundancy (see Fig. 4). If a signal provided to the processing u nit 11 via line 10 contains errors, for example, CRC checksum wrong, the same signal is available at the processing unit 12 via line 20d for processing.

In contrast, the primary reference to Karbowiak does not disclose this redundancy. For example, Fig. 20 of Karbowiak shows a "line to node", that is only one processing unit per participant 1 and not a first and second processing unit per participant 1.

The Examiner maintains that a NODE 11, 12, 13 shown in Fig. 1 is comparable to the participant 1 of a communication system according to the present invention. However, the Examiner overlooks the fact that the participant 1 of the present invention contains two processing u nits 11, 21 and that a NODE 11, 12, 13 of Karbowiak in contrast contains only one processing unit (see Fig.

17, 91, 92, 93, LIU 11). Karbowiak clearly states in column 4, line 41 that each NODE contains a (that is, one) LIU comprising the blocks 91, 92, 93.

The Applicants also disagree with the Examiner's assumption that upon activation coupling signals are routed from one path to the other path by taking into account the signal travel direction of both processing u nits. Since the conclusions regarding Karbowiak are erroneous, it would not be obvious for the practitioner to modify Karbowiak with the features of Sweeton in an effort to obtain the present invention.

With regard to the Uzun reference, the Examiner maintains that the processing units 11, 21 are represented by the blocks 250, 210, 220 and 255, 215, 225 (see Fig. 3). However, if Fig. 3 is compared with Fig. 4 of the present application, the processing units 11, 21 have only one communication path 10 or 20d as input, in contrast to Uzun, where both paths 140, 120 or 141, 121 are routed through block 250 or 255, respectively.

The Applicants also disagree with the Examiner's analysis that blocks 250, 210, 220 and 255, 215, 225 represent processing units 11, 21. The functions of these blocks is completely different, especially bocks 250 and 255, which function as PHYs to interface the lines to the participant and not as processing units 11, 21.

Even if the "host" shown in Fig. 3 is viewed as comparable to the processing units, distinct differences are still present. Uzun shows two communication paths (see Fig. 3, 141, 121). Further differences can be found in the connections 500b and 505b between the paths. These connections have the

disadvantage that a signal proceeded via the first host of the first path is routed to the second host of the second path. That is, the signal is processed two times while with the present invention, the signal is processed once by each separate processing unit. Since there is much more redundancy in Uzun's method 500b, 505b, the signal processing is slower and the signal routing is more complex. Routing the signal through the SRAM and the Lookup also causes delays during signal transmission.

In conclusion, the Examiner appears to have overlooked the marked differences between the basic architecture and function of the state of the art and the present invention and instead, focuses on the PLL in support of the obviousness rejection.

It is respectfully submitted that since the prior art does not suggest the desirability of the claimed invention, such art cannot establish a prima facie case of obviousness as clearly set forth in MPEP section 2143.01. When establishing obviousness under Section 103, it is not pertinent whether the prior art device possess the functional characteristics of the claimed invention, if the reference does not describe or suggest its structure. ***In re Mills***, 16 USPQ 2d 1430, 1432-33 (Fed. Cir. 1990).

The applicant in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

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